

REMARKS

This responds to the Final Office Action mailed on August 8, 2008.

Claims 1, 5, 20, and 34 are amended. Claims 4, 6-7, 13, 17, 28, 31, 41, and 44 are canceled, and no claims are added. As a result, claims 1-3, 5, 8-12, 14-16, 18-27, 29-30, 32-40, 42-43, and 45-47 are now pending in this application.

Examiner Interview

Applicants would like to thank the Examiner for conducting an Examiner Interview on December 3, 2008. As discussed in the Examiner Interview, independent claims 1, 20, and 34 are amended to include limitations from claims 4, 17, 31, and 45.

§103 Rejection of the Claims

Claims 1, 3-10, 12-14, 17-20, 22-25, 27-28, 31-40, 42, 44-45 and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fraser (U.S. Patent No. 5,664,115) in view of Tozzoli et al. (U.S. Patent No. 5,717,989, hereinafter; "Tozzoli"). A determination of obviousness requires a factual showing that "the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains."¹

Under §103, the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or nonobviousness of the subject matter is determined.²

Applicants respectfully submit that a determination of obviousness is not established with respect to independent claims 1, 20, and 34, as amended, for the reason that the scope and content of the cited references, even if combined, do not teach or suggest Applicants' claimed invention or support rational inferences which one skilled in the art would be reasonably expected to draw to reach Applicants' claimed invention.

¹ *Graham v. John Deere*, 383 U.S. 1, 17, 148 U.S.P.Q. 459, 467 (1966).

² *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. ___, 82 U.S.P.Q.2d 1385 (2007).

Independent claims 1, 20, and 34 are amended to recite, in part, "*receiving* a transaction request *from . . . a prospective renter*, and the receiving of the transaction request including *providing a sequence of maps* to prompt the requesting party to select at least one desired geographical location."³ Fraser is directed to "automatically matching *sellers of property* with potential *buyers*."⁴ Tozzoli is directed to "[a] *trade* system . . . [that] receives inputs from and supplies outputs to *buyers, sellers, funders* and the various parties involved in a *trade* transaction"⁵ Applicants cannot find within Fraser or Tozzoli any mention of "providing . . . maps," let alone "*providing a sequence of maps* to prompt the requesting party to select at least one desired geographical location." Neither Fraser nor Tozzoli, therefore, disclose the limitation of "*providing a sequence of maps* to prompt the requesting party to select at least one desired geographical location," as recited in independent claims 1, 20, 34. Furthermore, Applicants cannot find within Fraser or Tozzoli any discussion of "rent," or a "renter," much less a "*prospective renter*." Neither Fraser nor Tozzoli, therefore, disclose the limitation of "*receiving* a transaction request *from . . . a prospective renter*," as recited in independent claims 1, 20, and 34.

As a result, the scope and content of Fraser and Tozzoli, considered alone or in combination, fail to teach or suggest Applicants' claimed invention or support rational inferences which one skilled in the art would be reasonably expected to draw to reach Applicants' claimed invention. Independent claims 1, 20, and 34, and their respective dependent claims are therefore patentable over Fraser in view of Tozzoli. Thus, Applicants respectfully request that these rejections be removed and the claims be allowed.

Claims 14, 19, 29, 33, 41-42 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fraser in view of Tozzoli as applied to claim 1 in further view of Broerman (U.S. Patent No. 6,594,633). Claim 41 is canceled. Broerman is directed to "[a] real estate computer network [that] facilitates a real estate transaction between a *buyer* and a *seller*"⁶ Applicants cannot find within Broerman at least the limitations shown to be absent from Fraser and Tozzoli. As a result, the scope and content of Fraser, Tozzoli, and Broerman, considered

³ Claim 1, emphasis added. *See also*, claim 20. *See also*, claim 34.

⁴ Fraser, abstract, emphasis added.

⁵ Tozzoli, col. 4, lines 51-54, emphasis added.

⁶ Broerman, abstract, emphasis added.

alone or in combination, fail to teach or suggest Applicants' claimed invention or support rational inferences which one skilled in the art would be reasonably expected to draw to reach Applicants' claimed invention. Claims 14, 19, 29, 33, 42, and 46 are therefore patentable over Fraser, Tozzoli, and Broerman. Thus, Applicants respectfully request that these rejections be removed and the claims be allowed.

Claims 2, 11, 21, 26 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fraser in view of Tozzoli and Broerman as applied to claim 1 in further view of Walker et al. (U.S. Patent No. 5,884,272, hereinafter; "Walker"). Walker is directed to "establishing anonymous communications."⁷ Applicants cannot find within Walker at least the limitations shown to be absent from Fraser, Tozzoli, and Broerman. As a result, the scope and content of Fraser, Tozzoli, Broerman, and Walker, considered alone or in combination, fail to teach or suggest Applicants' claimed invention or support rational inferences which one skilled in the art would be reasonably expected to draw to reach Applicants' claimed invention. Claims 2, 11, 21, 26, and 39 are therefore patentable over Fraser, Tozzoli, Broerman, and Walker. Thus, Applicants respectfully request that these rejections be removed and the claims be allowed.

Claims 15-16, 30 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fraser as modified by Tozzoli and Broerman in further view of Eggleston et al. (U.S. Patent No. 6,061,660, hereinafter; "Eggleston"). Eggleston is directed to "providing incentive programs over a computer network."⁸ Applicants cannot find within Eggleston at least the elements shown to be absent from Fraser, Tozzoli, and Broerman. As a result, the scope and content of Fraser, Tozzoli, Broerman, and Eggleston, considered alone or in combination, fail to teach or suggest Applicants' claimed invention or support rational inferences which one skilled in the art would be reasonably expected to draw to reach Applicants' claimed invention. Claims 15-16, 30, and 43 are therefore patentable over Fraser, Tozzoli, Broerman, and Eggleston. Thus, Applicants respectfully request that these rejections be removed and the claims be allowed.

⁷ Walker, abstract.

⁸ Eggleston, abstract.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (636) 681-1324 to facilitate prosecution of this application.

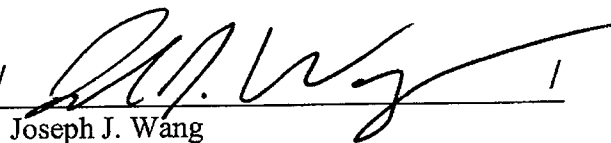
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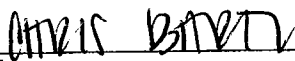
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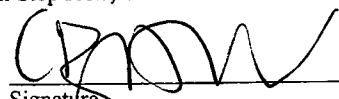
Date December 8, 2008

By


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